

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:18-cv-00320-MR-WCM**

**PATRICK ESPOSITO and DEBORAH  
ESPOSITO,**

**Plaintiffs,**

**vs.**

**GOSHEN TIMBER FRAMES, INC.  
and BONNIE PICKARTZ,**

**Defendants.**

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**ORDER**

**THIS MATTER** is before the Court on the Suggestion of Bankruptcy filed by the Plaintiffs on behalf of the Defendant Bonnie Pickartz [Doc. 7].

The Plaintiffs have filed a notice with the Court indicating that the Defendant Bonnie Pickartz filed a voluntary bankruptcy petition under Chapter 13 of the United States Bankruptcy Code on December 13, 2018. It is well-settled that “[w]hen litigation is pending against the debtor at the time a bankruptcy case is commenced, the litigation is stayed automatically.” 3 Collier on Bankruptcy ¶ 362.03[3] (16th ed. 2014); see also 11 U.S.C. § 362(a)(1) (providing that a bankruptcy petition operates as an automatic stay of “the commencement or continuation . . . of a judicial, administrative, or

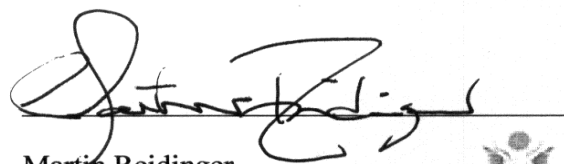
other action or proceeding against the debtor”). Accordingly, the Court will consider this action stayed as to the Defendant Bonnie Pickartz. Because the other Defendant in this action, Goshen Timber Frames, Inc., has been defaulted, the Court will stay this entire civil action.

Accordingly, **IT IS, THEREFORE, ORDERED** that this action is hereby **STAYED** until further Order of the Court.

**IT IS FURTHER ORDERED** that the parties shall file a status report with the Court every ninety (90) days until such time as the bankruptcy matter is closed.

**IT IS SO ORDERED.**

Signed: March 2, 2019

  
Martin Reidinger  
United States District Judge

